

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Bunny G Carns**  
Debtor(s)

Bankruptcy Case No.: 14-70208-JAD  
Per August 11, 2016 proceeding  
Chapter: 13  
Docket No.: 52 - 43, 44  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 7, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: M&T Bank (Claim No. 21) with payment changes implemented .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 23, 2016

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Bunny G Carns  
 Debtor

Case No. 14-70208-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: lmar  
 Form ID: 149

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 Total Noticed: 39

Date Rcvd: Aug 23, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2016.

db +Bunny G Carns, 213 West Lloyd Street, Ebensburg, PA 15931-1905  
 aty +Joshua I. Goldman, KML Law Group, P.C., 701 Market Street, Suite 5000,  
 Philadelphia, PA 19106-1541  
 13827872 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, Po Box 982235, El Paso, TX 79998)  
 13827873 +Berkheimer, P.O. Box 995, 50 North Seventh Street, Bangor, PA 18013-1798  
 13827875 +Capl/Bontn, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3440  
 13827876 +Capl/Boscv, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3440  
 13827877 +Chase, Po Box 15298, Wilmington, DE 19850-5298  
 13827878 +Citi, Po Box 6241, Sioux Falls, SD 57117-6241  
 13827879 +Comenity Bank/Bon Ton, 3100 Easton Square Pl, Columbus, OH 43219-6232  
 13827880 +Comenity Bank/Justice, Po Box 182789, Columbus, OH 43218-2789  
 13827881 +Commonwealth of Pennsylvania, Collection's Unit, 14th Floor, Strawberry Square,  
 Harrisburg, PA 17120-0001  
 13839306 +Department Stores National Bank/Macy's, Bankruptcy Processing, Po Box 8053,  
 Mason, OH 45040-8053  
 13837818 +Department Stores National Bank/Macys, Bankruptcy Processing, Po Box 8053,  
 Mason, OH 45040-8053  
 13827891 +Mcydsnb, 9111 Duke Blvd, Mason, OH 45040-8999  
 13827895 +Td Bank Usa/Targetcred, Po Box 673, Minneapolis, MN 55440-0673  
 13827897 +Verizon, 500 Technology Dr Ste 30, Weldon Spring, MO 63304-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13843427 +E-mail/Text: bncmail@w-legal.com Aug 24 2016 01:17:46 ALTAIR OH XIII, LLC,  
 C O WEINSTEIN,PINSON AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 13860473 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 24 2016 01:21:31  
 American InfoSource LP as agent for, Verizon, PO Box 248838,  
 Oklahoma City, OK 73124-8838  
 13833985 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 24 2016 01:21:32  
 American InfoSource LP as agent for, Midland Funding LLC, PO Box 268941,  
 Oklahoma City, OK 73126-8941  
 13855913 E-mail/PDF: rmscedi@recoverycorp.com Aug 24 2016 01:21:29  
 Bureaus Investment Group Portfolio No 15 LLC, c/o Recovery Management Systems Corp,  
 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605  
 13827874 +E-mail/Text: ebn@squaretwofinancial.com Aug 24 2016 01:17:54 Cach, Llc,  
 4340 S Monaco St Unit 2, Denver, CO 80237-3581  
 13827883 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Aug 24 2016 01:17:53  
 Credit Management Co, 2121 Noblestown Road, Pittsburg, PA 15205-3956  
 13827882 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Aug 24 2016 01:17:53  
 Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956  
 13831156 E-mail/Text: mrdiscen@discover.com Aug 24 2016 01:17:07 Discover Bank,  
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025  
 13827884 +E-mail/Text: mrdiscen@discover.com Aug 24 2016 01:17:07 Discover Fin Svcs Llc,  
 Po Box 15316, Wilmington, DE 19850-5316  
 13827885 +E-mail/PDF: gecsed@recoverycorp.com Aug 24 2016 01:14:56 Gecrb/Belk, Po Box 965028,  
 Orlando, FL 32896-5028  
 13827886 E-mail/PDF: gecsed@recoverycorp.com Aug 24 2016 01:15:32 Gecrb/Jcp, Po Box 984100,  
 El Paso, TX 79998  
 13827887 +E-mail/PDF: gecsed@recoverycorp.com Aug 24 2016 01:14:56 Gecrb/Lowes, Po Box 965005,  
 Orlando, FL 32896-5005  
 13827888 +E-mail/PDF: gecsed@recoverycorp.com Aug 24 2016 01:15:33 Gecrb/Paypal Smart Con,  
 Po Box 965005, Orlando, FL 32896-5005  
 13827889 +E-mail/PDF: gecsed@recoverycorp.com Aug 24 2016 01:15:15 Gecrb/Walmart, Po Box 965024,  
 Orlando, FL 32896-5024  
 13904197 E-mail/Text: camanagement@mtb.com Aug 24 2016 01:17:23 M&T Bank, Attn: Bev Inglalsbe,  
 1100 Wehrle Drive, Williamsville, NY 1422  
 13827890 E-mail/Text: camanagement@mtb.com Aug 24 2016 01:17:23 M&T Bank,  
 Lending Services, Customer Support, P.O. Box 900, Millsboro, DE 19966  
 13827892 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 24 2016 01:17:39 Midland Funding,  
 8875 Aero Dr Ste 200, San Diego, CA 92123-2255  
 13879537 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 24 2016 01:15:33  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 13827894 +E-mail/Text: bankruptcynotices@psecu.com Aug 24 2016 01:17:59 PSECU, P.O. Box 67013,  
 Harrisburg, PA 17106-7013  
 13829614 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Aug 24 2016 01:17:36  
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
 Harrisburg, PA 17128-0946  
 13827893 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 24 2016 01:14:57  
 Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4962  
 13834820 E-mail/Text: bnc-quantum@quantum3group.com Aug 24 2016 01:17:26  
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
 13834874 +E-mail/Text: bncmail@w-legal.com Aug 24 2016 01:17:46 TD BANK USA, N.A.,  
 C O WEINSTEIN,PINSON AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 23

District/off: 0315-7

User: lmar  
Form ID: 149

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Total Noticed: 39

Date Rcvd: Aug 23, 2016

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr  
13893841 M&T BANK  
##+Peoples Natural Gas Company LLC, 375 North Shore Drive, Suite 600,  
Pittsburgh, PA 15212-5866  
13834813 ##+Rjm Acquisitions Llc, 575 Underhill Blvd, Suite 224, Syosset, NY 11791-3416  
13827896 ##+The Bureaus Inc, 1717 Central St, Evanston, IL 60201-1507

TOTALS: 1, \* 0, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 25, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor M&T BANK agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
Kenneth P. Seitz on behalf of Debtor Bunny G Carns thedebterasers@aol.com  
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4